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09/748,942	12/27/2000	Charles A. Eldering	T721-15	6478

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LAMBRECHT, CHRISTOPHER M

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2611	

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 October 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-14_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _8/12/04_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 7 October 2004 have been fully considered but they are not

persuasive. In particular:

Regarding claim 1, Applicant submits:

a.   Neither Picco nor Guyot alone or in combination disclose or suggest a processor that is

responsive to the queue for inserting targeted advertisements into program streams for display to

the subscriber; and a communication interface that receives an additional queue of targeted

advertisements; rather, he discloses receiving more advertisements to fill the existing queue (pp.

7-8, ¶2);

b.   The motivation to combine Picco and Guyot provided by the Examiner is erroneous (pp.

8-9); and

c.   Khoo fails to alleviate the deficiencies of Picco and Guyot and the motivation to combine

Khoo with Picco and Guyot provided by the Examiner is erroneous (p. 9).

In response to (a), Examiner submits Picco discloses a processor for inserting targeted

advertisements into program streams for display to the subscriber (see rejection of claim 1). Furthermore,

Guyot clearly discloses a processor (**310**, fig. 2), responsive to the queue (col. 5, ll. 18-21 & col. 6, ll. 64-

67). As such, the combined teachings of Picco and Guyot would result in a processor, responsive to the

queue, for inserting targeted advertisements into program streams for display to the subscriber.

Regarding Applicant's assertion that Guyot fails to disclose an "additional" queue of targeted

advertisements, the Examiner submits that the limitation "additional queue" fails to distinguish over the

updated/refreshed queue taught by Guyot (p. 5, ll. 18-21). Guyot specifically teaches refreshing the queue

by supplying plural, additional advertisements to the subscriber system (col. 9, ll. 3-7). These new

advertisements represent an "additional queue" of advertisements to be received by the subscriber system.

In response to (b), Examiner submits that the advantages of providing "a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed" (see col. 2, ll. 20-21) and "continually updating advertisements with new advertisements" (see col. 2, ll. 30-36) are based directly on the disclosure of Guyot. Additionally, Examiner submits that the cited features of Guyot are compatible with the teachings of Picco and, that the Guyot reference clearly describes advantages of these features in an environment analogous to that described by Picco. Accordingly, the combination of Picco and Guyot is proper.

In response to (c), in view of the remarks above, the teachings of Khoo are not relied upon in the rejection of claim 1. Rather, Khoo is relied upon in the rejections of claims 3 and 4. Picco and Guyot together teach all the limitations of claim 1. Furthermore, the motivation to combine the teachings of Khoo with those of Picco and Guyot, that an arrangement may be defined in which each of a group of advertisements are to be displayed, is clearly described in the Khoo reference (col. 7, ll. 32-36). Additionally, Examiner submits that the cited features of Khoo are compatible with the teachings of Picco and Guyot and, that the Khoo reference clearly describes advantages of these features in an environment analogous to that described by Picco and Guyot. Accordingly, the combination of Khoo with Picco and Guyot is proper.

Examiner believes all of the issues raised with respect to claim 1 have been alleviated. Claim 1 stands rejected.

Applicant's arguments with respect to claims 2-11 are contingent upon the issues raised with respect to amended claim 1. In view of the above remarks, the Examiner believes these issues have been alleviated. As such, claims 2-11 stand rejected. .

Regarding claim 12, Applicant's raise similar issues as to those discussed above with respect to claim 1. Examiner believes these issues have been alleviated. Accordingly, claim 12 stands rejected.

Regarding claim 13, Applicant submits:

a.   Neither Picco nor Guyot alone nor in combination disclose or suggest a processor for

determining when and what advertisement should be inserted into the program stream based on

the queue; and Guyot fails to disclose or suggest a queue identifying criteria for inserting targeted

advertising in program streams (pp. 10-11);

b.   The motivation to combine Picco and Guyot provided by the Examiner is erroneous (pp.

11-12); and

c.   Khoo fails to alleviate the deficiencies of Picco and Guyot and the motivation to combine

Khoo with Picco and Guyot provided by the Examiner is erroneous (p. 12).

In response to (a), Examiner submits Picco discloses a processor for determining when and what

targeted advertisement should be inserted into the program stream (see rejection of claim 1). Furthermore,

Guyot clearly discloses a processor (310, fig. 2), for determining what targeted advertising to display

based on the queue (col. 4, ll. 1-14). As such, the combined teachings of Picco and Guyot would result in

a processor for determining when and what advertisement should be inserted into the program stream

based on the queue. Additionally, Guyot discloses the trigger circuit, as discussed above.

Regarding Applicant's assertion that Guyot fails to disclose a queue identifying criteria for

inserting targeted advertising in program streams, the Examiner submits this feature is not claimed.

In response to (b), Examiner submits that the advantages of providing "a distributor of a plurality

of advertisements enhanced control over the manner in which individual advertisements are displayed"

(see col. 2, ll. 20-21) and "continually updating advertisements with new advertisements" (see col. 2, ll.

30-36) are based directly on the disclosure of Guyot. Additionally, Examiner submits that the cited

features of Guyot are compatible with the teachings of Picco and, that the Guyot reference clearly

describes advantages of these features in an environment analogous to that described by Picco.

Accordingly, the combination of Picco and Guyot is proper.

In response to (c), in view of the remarks above, the teachings of Khoo are not relied upon in the rejection of claim 13. Furthermore, the motivation to combine the teachings of Khoo with those of Picco and Guyot, that an arrangement may be defined in which each of a group of advertisements are to be displayed, is clearly described in the Khoo reference (col. 7, ll. 32-36). Additionally, Examiner submits that the cited features of Khoo are compatible with the teachings of Picco and Guyot and, that the Khoo reference clearly describes advantages of these features in an environment analogous to that described by Picco and Guyot. Accordingly, the combination of Khoo with Picco and Guyot is proper.

Examiner believes all of the issues raised with respect to claim 13 have been alleviated. Claim 13 stands rejected

Regarding claim 14, Applicant raises similar issues as to those discussed above with respect to claim 13. Examiner believes these issues have been alleviated. Accordingly, claim 14 stands rejected.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claim 1-2 and 4-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Picco (of record) in view of Guyot (of record).

Regarding **claim 1**, Picco discloses in a television network system, subscriber equipment for displaying targeted advertisements to a subscriber (col. 7, lines 35-51), the subscriber equipment comprising:

(a)   a communications interface (Fig. 7; Tuner **180** and Decoder **182**) for receiving targeted advertisements and advertisement control data (col. 11, lines 18-37 [receiving local

content at communications interface]; col. 7, line 48-56 [content profile data associated

with local content transmitted to set top box] col. 8, lines 7-22 [set top box utilization of

content profile data for advertisement insertion operations]), wherein the advertisement

control data is selectively distributed to the subscriber (col. 7, lines 6-12 [uplink facility

selectively distributing content and associated content profile data]);

(b)   memory (disk **186**) for storing queue of selectively distributed advertisements and

advertisement control data (col. 11, lines 35-44);

(c)   a processor (CPU **188** and splicers **190** and **192**) for inserting the targeted advertisements

in program streams for display to the subscriber (col. 11, lines 49-51).

Although Picco discloses the communications interface receiving targeted of advertisements with

advertisement control data, Picco fails to specifically disclose the communication interface receiving a

queue of targeted ads; said processor responsive to said queue; and a trigger circuit, as claimed.

However, Guyot, in an analogous art, teaches receiving a queue of advertisements (col. 3, lines

49-54, describing server transmission of targeted advertisements to subscriber; col. 4, line 35 – col. 5, line

5, describing advertisement queue and associated data defining presentation of targeted advertisements);

said processor responsive to said queue (col. 5, ll. 18-21 & col. 6, ll. 64-67); and a trigger circuit which

determines if a queue of advertisements has reached a low-level, wherein a communications interface

receives an additional queue of ads in response to the determination (col. 7, lines 4-11 [low level trigger];

see col. 2, lines 30-36; see also col. 11, lines 59-62) for the benefit of providing a distributor of a plurality

of advertisements enhanced control over the manner in which individual advertisements are displayed and

for continually updating advertisements that have been displayed a predetermined number of times with

new advertisements in a system for displaying targeted advertisements.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the communications interface of Picco to include receiving at least one

queue of targeted advertisements, wherein the queue is selectively distributed to the subscriber and further, to modify the subscriber equipment of Picco to include a trigger circuit for determining if the at least one queue has reached a low-level, wherein said communications interface receives at least one additional queue of targeted advertisements in response to a low-level determination by said trigger circuit, as taught by Guyot, for the benefit of providing a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed in a system for displaying targeted advertisements and for continually updating advertisements that have been displayed a predetermined number of times with new advertisements in a system for displaying targeted advertisements in a in a system for displaying targeted advertisements.

The limitation of **claim 2** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot discloses a counter for tracking number of times each targeted advertisement is displayed to a subscriber (Total Ad Playing Counter, col. 5, lines 3-5).

The limitation of **claim 5** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot discloses for each targeted advertisement within the queue, the queue includes advertiser data identifying the advertiser sponsoring the advertisement (Advertiser data, col. 3, line 66 – col. 4, line 1).

The limitation of **claims 6 and 7** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot discloses for each targeted advertisement with the queue, the queue includes a time frame defining a time during which the targeted advertisement should be displayed includes:

(a)   a hour frame indicating the hours of the day during which the advertisement should be

        displayed (Ad Hour Frames, col. 4, lines 56-57);

(b)   a day frame indicating the days of the week, month or year during which the

        advertisement should be displayed (Ad Day Frames, col. 4, lines 58-59);

(c)   a week frame indicating the weeks of the month or year during which the advertisement

        should be displayed (Ad Week Frames, col. 4, lines 60-61); and

(d)   a month frame indicating the months of the year during which the advertisement should

        be displayed (Ad Month Frames, col. 4, lines 62-63).

The limitation of **claim 8** is encompassed by the teachings of Picco in view of Guyot, as

discussed above relative to claim 1. Specifically, Guyot teaches for each targeted advertisement within

the queue (col. 4, lines 35-39), the queue includes *at least one of:*

(a)   an expiration date of the targeted advertisement (Ad Expiration Date, col. 4, lines 44-45);

(b)   a maximum total number of times the targeted advertisement should be displayed (Ad

        Play Times Maximum Number, col. 4, lines 42-43);

(c)   a maximum number of time the targeted advertisement should be displayed each day (Ad

        Frequency, col. 4, lines 64-65);

(d)   a total number of times the targeted advertisement has previously been displayed to the

        subscriber (Total Ad Playing Counter, col. 5, lines 2-5); and

(e)   a number of times the targeted advertisement has been displayed that day (Daily Ad

        Playing Counter, col. 4, lines 66-67).

The limitation of **claim 9** is encompassed by the teachings of Picco in view of Guyot, as

discussed above relative to claim 1. Specifically, Guyot discloses the trigger circuit determines that the

queue has reached a low-level if the queue has less than a particular number of targeted advertisements

remaining (col. 7, lines 4-10).

The limitation of **claim 10** is encompassed by the teachings of Picco in view of Guyot, as

discussed above relative to claim 1. Specifically, Guyot teaches a communications interface is

connectable to an advertisement management system (Fig. **3**, processor **210**) over a network connection

(communications link **400**) wherein the targeted advertisements are identified by the advertisement

management system based on a profile of the subscriber supplied to the advertisement management

system (col. 3, lines 43-54; see also col. 3, lines 61-65, describing subscriber personal profile utilized by

processor **210** in advertisement targeting).

The limitation of **claim 11** is encompassed by the teachings of Picco in view of Guyot, as

discussed above relative to claim 1. Specifically, Guyot teaches the at least one queue includes a state

indicator for activating said trigger circuit (col. 6, line 64 – col. 7, line 10; Fig. **5**, el. **S200**).

As for **claims 13 and 14**, Picco discloses a set-top box for inserting targeted advertisements in

place of default advertisements with television program streams and corresponding method (Figs. **7** and

10; col. 7, lines 35-51), comprising:

(a)   a communications interface (Fig. **7**; Tuner **180** and Decoder **182**) for receiving a plurality

of targeted advertisements and advertisement control data identifying criteria for inserting

the targeted advertisements into a program stream (col. 11, lines 18-37 [receiving local

content at communications interface]; col. 7, line 48-56 [content profile data associated

with local content transmitted to set top box] col. 8, lines 7-22 [set top box utilization of

content profile data for advertisement insertion operations]);

(b)   memory (disk **186**) for storing queue of selectively distributed advertisements and

advertisement control data (col. 11, lines 35-44);

(c)   a processor (CPU **188** and splicers **190** and **192**) for determining when and what targeted

advertisement should be inserted into the program stream (col. 11, lines 49-51).

(d)   an inserter (audio splicer **190** and video splicer **192**) for inserting the target advertisement

into the program stream (col. 11, lines 49-51).

Although Picco discloses the communications interface receiving a plurality of advertisements

with advertisement control data, Picco fails to specifically disclose the communication interface receiving

a queue of ads, as claimed. Picco further fails to disclose a trigger circuit, as claimed.

However, Guyot, in an analogous art, teaches receiving a queue of advertisements (col. 3, lines

49-54, describing server transmission of targeted advertisements to subscriber; col. 4, line 35 – col. 5, line

5, describing advertisement queue and associated data defining presentation of targeted advertisements)

and further teaches a trigger circuit which determines if a queue of advertisements has reached a low-

level, wherein a communications interface receives an additional queue of ads in response to the

determination (col. 7, lines 4-11 [low level trigger]; see col. 2, lines 30-36; see also col. 11, lines 59-62)

for the benefit of providing a distributor of a plurality of advertisements enhanced control over the

manner in which individual advertisements are displayed and for continually updating advertisements that

have been displayed a predetermined number of times with new advertisements.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the set-top box Picco to include the communications interface receiving a

queue identifying criteria for inserting targeted advertisements, memory for storing the queue, and the

processor determining when and what targeted advertisement should be inserted into the program stream

based on the queue and, further, to include a trigger circuit for determining when the targeted

advertisements and the queue need to be refreshed, as taught by Guyot, for the benefit of providing a

distributor of a plurality of advertisements enhanced control over the manner in which individual

advertisements are displayed in a system for displaying targeted advertisements and for continually

updating advertisements that have been displayed a predetermined number of times with new

advertisements in a system for displaying targeted advertisements.

4.   **Claims 3-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Picco et al. (Picco),

U.S. Patent No. 6,029,045 in view of Guyot et al. (Guyot), U.S. Patent No. 6,119,098, as applied to claim

1, further in view of Khoo et al. (Khoo), U.S. Patent 6,434,747.

As for **claim 3**, the teachings of Picco in view of Guyot are relied upon as discussed above

relative to claim 1. Guyot teaches the communications interface also receives the targeted advertisements

and the memory stores the targeted advertisements. However, although Guyot teaches the queue

identifying ad presentation criteria (col. 4, line 35 – col. 5, line 5), Picco in view of Guyot fails to

specifically disclose the queue identifying the sequence for the processor to insert advertisements, as

claimed.

But Khoo, in an analogous art, teaches advertisement queues which identify a sequence for a

processor to insert targeted advertisement in a program display (col. 7, lines 18-36, describing customized

media list, which comprises list of customized advertising commercials which are sequenced in a

predetermined order) for the benefit of defining an arrangement in which each of a group of

advertisements are to be displayed.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the queue of Picco in view of Guyot to incorporate the queue identifies a

sequence for said processor to insert the targeted advertisement in the program stream for display to the

subscriber, as taught by Khoo, for the benefit of defining an arrangement in which each of a group of

advertisements are to be displayed in a system for displaying targeted advertisements.

The limitation of **claim 4** is encompassed by the teachings of Picco in view of Guyot, further in

view of Khoo, as discussed above relative to claim 3. Specifically, Guyot discloses each advertisement

stored in memory is identified by an advertisement identifier that uniquely identifies the targeted

advertisement and the at least one queue reference the advertisement identifier (Ad Identification, col. 4,

lines 35-41).

5.   **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Picco et al. (Picco), U.S.

Patent No. 6,029,045 in view of Guyot et al. (Guyot), U.S. Patent No. 6,119,098, further in view of Khoo

et al. (Khoo), U.S. Patent 6,434,747.

Regarding **claim 12**, Picco discloses in a television network system, a system for displaying

targeted advertisements to subscribers (col. 4, lines 51-65), the system comprising:

an advertisement management system (Fig. **4**; Agent **150**, Statistical Collector **152**, Local Content

        108, Scheduler **148** and Database **146**) for generating targeted advertisements for a

        subscriber (col. 6, line 57 – col. 7, line 32);

an advertisement distribution system (Fig. **4**, Transmitter **144**, Uplink Antenna **110**, and Satellite

        104) for distributing targeted advertisements to the subscriber over the television network

        (col. 6, lines 52-56; col. 23-39 {transmission of advertisement content and control data to

        set top boxes]; and

subscriber equipment for receiving targeted advertisements and the at least one queue and

        displaying the targeted advertisements to the subscriber (col. 7, lines 35-51), the

        subscriber equipment including:

    (a)   a communications interface (Fig. **7**; Tuner **180** and Decoder **182**) for receiving targeted

            advertisements and (col. 11, lines 18-37 [receiving local content]; plurality of

advertisements and associated content profile data, col. 6, line 61 – col. 7, line 2),

wherein the at least one queue is selectively distributed to the subscriber (geographic

localization; col. 6, lines 57-61);

(b)   memory (disk **186**) for storing the at least one queue of selectively distributed

advertisements (col. 11, lines 35-44);

(c)   a processor (CPU **188** and splicers **190** and **192**) for inserting the targeted advertisements

in program streams for display to the subscriber (col. 11, lines 49-51).

Picco fails to disclose the advertisement management system identifying targeted advertisements,

as claimed and generating at least one queue of targeted advertisements, as claimed. Additionally, Picco

fails to disclose the advertisement distribution system distributing at least one queue, as claimed. And

although Picco discloses the communications interface receiving a plurality of advertisements with

advertisement control data, Picco fails to specifically disclose the communication interface receiving a

queue of ads, as claimed. Picco further fails to disclose a trigger circuit, as claimed.

However, Guyot, in an analogous art, teaches a system for displaying advertisements comprising

an advertisement management system (Fig. **3**, Processor **210**) which identifies targeted advertisements for

a subscriber by correlating advertisement profiles with a subscriber profile (col.3, lines 49-54) and

generates a queue of targeted advertisements for the subscriber (col. 3, lines 49-54, describing server

transmission of targeted advertisements to subscriber); an advertisement distribution system

(communications link **400**) which distributes the queue to a subscriber (col. 3, lines 45-47); and

subscriber equipment (Fig. **2**) which receives the queue including a memory for storing the queue (col. 4,

lines 35-39), and a processor (Processor **310**), responsive to the queue, for inserting targeted

advertisements in a display (col. 5, lines 6-18, describing presentation of ads; col. 4, line 35 – col. 5, line

5, describing advertisement queue and associated data defining presentation of targeted advertisements)

and further teaches a trigger circuit which determines if a queue of advertisements has reached a low-

level, wherein a communications interface receives an additional queue of ads in response to the

determination (col. 7, lines 4-11 [low level trigger]; see col. 2, lines 30-36; see also col. 11, lines 59-62)

for the benefit of providing a distributor of a plurality of advertisements enhanced control over the

manner in which individual advertisements are displayed and for continually updating advertisements that

have been displayed a predetermined number of times with new advertisements.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the advertisement system of Picco to incorporate an advertisement

management system which identifies targeted advertisements for a subscriber by correlating

advertisement profiles with a subscriber profile and generating at least one queue of targeted

advertisements for the subscriber; an advertisement distribution system for distributing the queue; and

subscriber equipment for receiving at least one queue of targeted advertisements, wherein the queue is

selectively distributed to the subscriber and to include a trigger circuit for determining if the at least one

queue has reached a low-level, wherein said communications interface receives at least one additional

queue of targeted advertisements in response to a low-level determination by said trigger circuit, as taught

by Guyot, for the benefit of providing a distributor of a plurality of advertisements enhanced control over

the manner in which individual advertisements are displayed in a system for displaying targeted

advertisements and for continually updating advertisements that have been displayed a predetermined

number of times with new advertisements in a system for displaying targeted advertisements.

However, although Guyot teaches the queue identifying ad presentation criteria (col. 4, line 35 –

col. 5, line 5), Picco in view of Guyot fails to specifically disclose the advertisement management system

generating a queue identifying the sequence for the presenting the targeted advertisements, as claimed.

But Khoo, in an analogous art, teaches an advertisement management system comprising

advertisement queues which identify a sequence for presenting targeted advertisements to the subscriber

(col. 7, lines 18-36, describing customized media list, which comprises list of customized advertising

commercials which are sequenced in a predetermined order) for the benefit of defining an arrangement in which each of a group of advertisements are to be displayed.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the advertisement management system of Picco in view of Guyot to incorporate each of the at least one queue identifies a sequence for said processor to insert the targeted advertisements to the subscriber, as taught by Khoo, for the benefit of defining an arrangement in which each of a group of advertisements are to be displayed in a system for displaying targeted advertisements.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set

forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing

date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

7.   The following are suggested formats for either a Certificate of Mailing or Certificate of
Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence
concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR
1.8(a). Proper use of this procedure will result in such communication being considered as timely if the
established date is within the required period for reply. The Certificate should be signed by the individual
actually depositing or transmitting the correspondence or by an individual who, upon information and
belief, expects the correspondence to be mailed or transmitted in the normal course of business by another
no later than the date indicated.

Certificate of Mailing

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postage as first class mail in an envelope addressed to:

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Christopher M Lambrecht whose telephone number is (571) 272-7297. The examiner can

normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where

this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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